

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA**

LARRY PAPI,

Plaintiff,

v.

CBE GROUP,

Defendant.

Case No.:

NOTICE OF REMOVAL

Defendant, CBE Group, Inc. (misidentified in the complaint as CBE Group) (“Defendant”), hereby gives notice of removal of this action from the Court of Common Pleas located in Lackawanna County, Pennsylvania to the United States District Court for the Middle District of Pennsylvania pursuant to 28 U.S.C. §§ 1331, 1441 and 1446. In support thereof, Defendant states:

1. On or about August 24, 2017, Plaintiff Larry Papi (“Plaintiff”) filed the above captioned civil action in the Court of Common Pleas in Lackawanna County, Pennsylvania.
2. Defendant was served with the Complaint on September 14, 2017. Accordingly, this Notice of Removal has been timely filed pursuant to 28 U.S.C. § 1446(b).
3. This matter is a civil action over which this Court has original jurisdiction under 28 U.S.C. § 1331, and is one which may be properly removed pursuant to 28 U.S.C. §§ 1441 and 1446, as the claims asserted in the Complaint arise under the laws of the United States and raise one or more federal questions.
4. Plaintiff’s complaint purports to assert violations of the Fair Debt Collection Practices Act (“FDCPA”), 15 U.S.C. § 1692 *et seq.*
5. The district courts of the United States have original jurisdiction in civil actions

arising under the FDCPA.

7. Defendant removes this action to the United States District Court for the Middle District of Pennsylvania because it is the venue that encompasses Scranton, Pennsylvania. Defendant removes this action without prejudice to Defendant's right to seek transfer of this action pursuant to 28 U.S.C. § 1404, if and as appropriate.

8. True and correct copies of the following are attached to this Notice of Removal:

- (a) all process, pleadings and orders which have been served upon Defendant in this action are attached hereto as **Exhibit A** in accordance with 28 U.S.C. § 1446(a) and this Court's ECF guidelines; and
- (b) the Notice of Filing of Notice of Removal which has been served upon Plaintiff and filed with the Clerk of Court for the Court of Common Pleas in Lackawanna County, Pennsylvania is attached hereto as **Exhibit B** in accordance with 28 U.S.C. § 1446(d).

9. Based upon the foregoing, this action is properly removed on the basis of federal question jurisdiction pursuant to 28 U.S.C. §§ 1331, 1441 and 1446.

WHEREFORE, Defendant CBE Group, Inc. requests that this action proceed in the United States District Court for the Middle District of Pennsylvania.

Respectfully Submitted,

/s/ Charity A. Olson
Charity A. Olson (P68295)
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Dated: October 4, 2017

CERTIFICATE OF SERVICE

I, Charity A. Olson, hereby certify that on October 4, 2017, a copy of the foregoing Notice of Removal was filed via the Court's ECF system and served upon the following parties as follows:

Via FedEx Standard Overnight and U.S. First Class Mail

Lackawanna County Courthouse
Civil Clerk
200 N. Washington Ave.
Scranton, PA 18503

Via U.S. First Class Mail:

Joseph T. Sucec, Esq.
PO Box 317
Grantham, PA 17027
Attorney for Plaintiff

/s/ Charity A. Olson
Charity A. Olson
Brock & Scott, PLLC